

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

QUINTEZ TALLEY,)	
)	Civil Action No. 2: 16-cv-00152
Plaintiff,)	
)	United States Magistrate Judge
v.)	Cynthia Reed Eddy
)	
R. C/O KING and C/O ORBASH,)	
)	
Defendants.)	

MEMORANDUM ORDER

AND NOW, this 27th day of July, 2016;

Plaintiff has filed a Request for Non-Party Prisoner Witnesses to Attend his Deposition (ECF No. 17). Plaintiff's motion is **DENIED**. He is not entitled to call witnesses to his own deposition.

To the extent that Plaintiff is moving to take the oral depositions of non-party prisoners, the request is **GRANTED** and he may do pursuant to Federal Rule of Civil Procedure 30, **in strict compliance with Rule 30**.

To the extent that Plaintiff is requesting that the Court or Defendants arrange for or notice the depositions of the alleged witnesses, the request is **DENIED**, as arranging the depositions is Plaintiff's Rule 30 responsibility. To the extent that Plaintiff is requesting that Defendant or the Court pay the fees associated with engaging a court reporter or the preparation of deposition transcripts, the request is **DENIED**.

It is not incumbent upon the Court, or the Defendant, to assume responsibility, or financially, for the depositions Plaintiff wishes to conduct. *See, e.g., Tabron v. Grace*, 6 F.3d

147, 159 (3d Cir. 1993), *cert. denied*, 510 U.S. 1196 (1994). “There is no provision in 28 U.S.C. § 1915 for the payment by the government of the costs of deposition transcripts, or any other litigation expenses, and no other statute authorizes courts to commit federal monies for payment of the necessary expenses in a civil suit brought by an indigent litigant.” *Ball v. Struthers*, Civil No. 1:11-CV-1265, 2011 WL 4891026 at *1 (M.D.Pa. Oct. 13, 2011), cited with approval by *Huertas v. Beard*, 1:10-CV-10, 2012 WL 1564513 (W.D. Pa. May 2, 2012).

In light of the expense of oral depositions and logistical difficulties presented to an inmate it is often preferable for inmates to seek discovery through depositions by written questions pursuant to Rule 31 of the Federal Rules of Civil Procedure, a copy of which will be mailed to Plaintiff with this Order.

AND NOW, this 27th day of July, 2016:

IT IS HEREBY ORDERED that Plaintiff’s motion is granted in part and denied in part as explained above.

s/ Cynthia Reed Eddy
Cynthia Reed Eddy
United States Magistrate Judge

cc: QUINTEZ TALLEY
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(via U.S. First Class Mail)

Timothy Mazzocca
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(via ECF electronic notification)